



PATENT
Customer No. 22,852
Attorney Docket No. 02481.1774-00000

PH#17

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Paul HABERMANN *et al.*

Application No.: 10/076,634

Filed: February 19, 2002

For: NUCLEIC ACIDS, PROTEINS,
AND PROCESSES FOR
PRODUCING PROTEINS SUCH
AS FUSION PROTEINS FOR THE
SECRETION OF A PROTEIN OF
INTEREST INTO BACTERIAL
SUPERNATANTS

)
)
) Group Art Unit: 1645

)
) Examiner: Unknown
)

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Commissioner for Patents
Washington, DC 20231

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE

STATEMENT UNDER 37 C.F.R. § 1.97(b)

Further to the Information Disclosure Statement filed September 13, 2002, and pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for this application. Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: November 7, 2002

By: Steven J. Helmer

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INFORMATION DISCLOSURE CITATION

OMB No. 0651-0011

Atty. Docket No. 02-2001-1774-00	Appln. No. 10/076,634	RECEIVED
Applicant Paul HABERMANN <i>et al.</i>		
Filing Date February 19, 2002	Group: 1645	NOV 08 2002

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U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,677,172	10/1997	MAKAROW			

FOREIGN PATENT DOCUMENTS							
	Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Thim et al., "Secretion and Processing of Insulin Precursors in Yeast," <i>Proc. Natl. Acad. Sci.</i> , 83: 6766-6770 (1986).

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce